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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
v.
PHILLIP D. HURBACE et al.,
Defendants.

Case No. 2:17-cr-00110-APG-CWH

Stipulation to Continue Sentencing Hearing Dates (First Request)

PHILLIP D. HURBACE et al.,
Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou,
United States Attorney, through Richard Anthony Lopez and Mina Chang, Assistant
United States Attorneys, counsel for the United States of America, Osvaldo E. Fumo, counsel
defendant Phillip D. Hurbace, Todd Leventhal, counsel for defendant Larry A. McDaniel,
Robert M. Draskovich, counsel for defendant Sylviane D. Whitmore, that the defendants'
pending hearings currently scheduled for September 28, 2021, be vacated and set for a date
convenient for the Court, but no sooner than 60 days from the current date.

This Stipulation is entered into for the following reasons:

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1. These sentencing involve complex issues and counsel require additional time to prepare for the hearings.
2. This continuance is not sought for purposes of delay.
3. The defendants are out of custody and do not object to the request for continuance.

DATED this 13th day of September, 2021.

Respectfully submitted,

CHRISTOPHER CHIOU
Acting United States Attorney

/s/ Mina Chang
RICHARD ANTHONY LOPEZ
MINA CHANG
Assistant United States Attorney

/s/ Osvaldo E. Fumo
OSVALDO E. FUMO
Counsel for Defendant Phillip D. Hurbace

/s/ Robert M. Draskovich
ROBERT M. DRASKOVICH
Counsel for Defendant Sylviane D. Whitmore

/s/ Todd M. Leventhal
TODD M. LEVENTHAL
Counsel for Defendant Larry A. McDaniel

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

V.

PHILLIP D. HURBACE et al.,

Defendants.

Case No. 2:17-cr-00110-APG-CWH

Order on Stipulation to Continue Sentencing Hearing Dates (First Request)

PHILLIP D. HURBACE et al.,

Defendants.

Based on the parties' stipulation to continue sentencing hearing dates, and good cause appearing therefore, the Court hereby finds that:

1. These sentencing hearings involve complex issues and counsel require additional time to prepare for the hearings.
2. This continuance is not sought for purposes of delay.
3. The parties agree to this continuance.
4. Defendants are out of custody and do not object to the request for continuance.

ORDER

IT IS HEREBY ORDERED that the sentencing hearing for defendant Phillip D. Hurbace in the above-captioned matter currently scheduled for September 28, 2021 at 11:00 a.m., be vacated and continued to a date and time convenient to this Court, that is December 7, 2021 at the hour of 10:00 a.m.

IT IS FURTHER ORDERED that the sentencing hearing for defendant Larry A. McDaniel in the above-captioned matter currently scheduled for September 28, 2021 at 1:30 p.m., be vacated and continued to a date and time convenient to this Court, that is December 7, 2021 at the hour of 11:00 a.m.

1 **IT IS FURTHER ORDERED** that the sentencing hearing for defendant Sylviane D.
2 Whitmore in the above-captioned matter currently scheduled for September 28, 2021 at 2:30 p.m.,
3 be vacated and continued to a date and time convenient to this Court, that is December 7, 2021
4 at the hour of 2:30 p.m. in Courtroom 6C.

IT IS SO ORDERED this 14th day September, 2021.

HON. ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE